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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/464,298	12/15/1999	PETER T. LARSEN	042390.P7833	7343

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EXAMINER

TRAN, DENISE

ART UNIT	PAPER NUMBER
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2186

DATE MAILED: 06/16/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/464,298

Applicant(s)

LARSEN ET AL.

Examiner

Denise Tran

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 38-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 38-46 is/are allowed.
- 6) ☒ Claim(s) 47-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The applicant's amendment filed 4/2/04 has been considered. Claims 1-37 have been canceled. Claims 38-43 and newly added claims 44-51 are presented for examination.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 47-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Niiyama et al., U.S. Patent No. 5,400,389 (hereinafter Niiyama).

As per claim 47, Niiyama teaches a method, comprising:

entering a fast program mode in response to receipt of an initial program mode command and a confirmation program mode commanded (e.g., fig. 5, els. 2, 4, 5, col. 7, lines 24-65; col. 8, lines 34-55);

writing to a flash memory a plurality of code packets during the fast program mode, the plurality being any of a variable number of packets (e.g., col. 8, lines 5-10; col. 8, lines 60-68; fig. 7);

wherein said writing of each said code packet is performed responsive to an associated toggle of a write enable signal (e.g., col. 8, lines 49-53; col. 4, lines 25-30);  
and

exiting the fast program mode in response to a predetermined condition (e.g., fig. 5, els. 6 and 11-12 ; col. 8, line 60 to col. 9, line 2).

As per claims 48-51, Niiyama teaches receiving a first address corresponding to a first of the code packets (e.g., fig. 5, el. 6; col. 8, lines 10-15); said predetermined condition further comprises receiving a second address that is not equal to said first address (i.e., in response to program data to a second address wherein the second address can be difference to the first address and an end command, exiting the fast program mode; e.g., fig. 5, els. 6 and 11-12 ; col. 8, line 60 to col. 9, line 2), receiving a predetermined data value (e.g., fig. 5, els. 6 and 11-12 ; col. 8, line 60 to col. 9, line 2); said writing is performed in the absence of receipt of any addition program mode commands (e.g., fig. 5, els. 12 and 6; col. 8, lines 65-68).

4. Claims 38-46 are allowable over the prior art of record.

5. The following is a statement of reasons for the indication of allowable subject matter: None of the prior art of record shows the combination of programming wherein programming for loading codes/data into a flash memory, applicant's amendment filed 4-2-04, page 10, lines 11-22; a fast mode program wherein the fast program mode provides a way to program the flash memory quicker than existing program programming method, applicant's amendment filed 4-2-04, page 8, paragraph 5; and the other limitations of claims 38, 44.

6. Applicant's arguments, see pages 8 and 10, applicant's amendment, filed 4/2/04, with respect to claims 38 and 44 have been fully considered and are persuasive.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. (5,890,192) is cited to show method for programming of multiple chunks of data.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (703) 305-9823. The examiner can normally be reached on Monday, Thursday, and an alternate Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (703) 305-3821. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 7467-239 for Official communications, (703) 746-7240 for Non Official communications, and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Denise Tran

6/12/04